

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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<CASE CAPTION> CASE NO. 18 -23537 (rdd)

Sears, Roebuck and Co. fka A&E  
Factory Service fka Accents for Less fka  
Appliance Liquidators fka American  
Siding & Deck, Inc., (see continuation  
page)

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RELIEF FROM STAY – REAL ESTATE AND  
COOPERATIVE APARTMENTS

I, Heath Fegan Authorized Person  
<NAME AND TITLE> OF  
Carrington Mortgage Services, LLC servicing agent for Bank of America, N.A.  
<NAME OF ORGANIZATION/CORPORATION/MOVING PARTY> (HEREINAFTER, “MOVANT”),  
HEREBY DECLARE (OR CERTIFY, VERIFY, OR STATE):

BACKGROUND INFORMATION

1. REAL PROPERTY OR COOPERATIVE APARTMENT ADDRESS WHICH IS THE SUBJECT OF THIS  
MOTION: 630 Artic Ave., Oak Grove, Kentucky 42262-8224

2. LENDER NAME: Bank of America, N.A.

3. DATE OF MORTGAGE <MM/DD/YYYY>: 04/02/2007  
(Mortgage with not with Debtor. Debtor is a judgment debtor only)

4. POST-PETITION PAYMENT ADDRESS:

Carrington Mortgage Services, LLC  
P.O. Box 3730, Anaheim, CA 92806

DEBT/VALUE REPRESENTATIONS

5. TOTAL PRE-PETITION AND POST-PETITION INDEBTEDNESS OF DEBTOR(S) TO MOVANT AT THE TIME OF  
FILING THE MOTION: \$\* N/A

(Note: this amount may not be relied on as a “payoff” quotation.)

6. MOVANT’S ESTIMATED MARKET VALUE OF THE REAL PROPERTY OR COOPERATIVE APARTMENT:  
\$\* N/A

EXHIBIT F

7. SOURCE OF ESTIMATED VALUATION:\*N/A

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**STATUS OF DEBT AS OF  
THE PETITION DATE**

8. TOTAL PRE-PETITION INDEBTEDNESS OF DEBTOR(S) TO MOVANT AS OF PETITION FILING DATE:

\$ N/A

\*The Debtor was a defendant on an in rem judgment against the Property.  
Debtor has not contractual relationship with Movant on this loan.

- A. AMOUNT OF PRINCIPAL: \$ \_\_\_\_\_
- B. AMOUNT OF INTEREST: \$ \_\_\_\_\_
- C. AMOUNT OF ESCROW (TAXES AND INSURANCE): \$ \_\_\_\_\_
- D. AMOUNT OF FORCED PLACED INSURANCE EXPENDED BY MOVANT: \$ \_\_\_\_\_
- E. AMOUNT OF ATTORNEYS' FEES BILLED TO DEBTOR(S) PRE-PETITION: \$ \_\_\_\_\_
- F. AMOUNT OF PRE-PETITION LATE FEES, IF ANY, BILLED TO DEBTOR(S): \$ \_\_\_\_\_

9. CONTRACTUAL INTEREST RATE: \_\_\_\_\_ (If interest rate is (or was) adjustable, please list the rate(s) and date(s) the rate(s) was/were in effect on a separate sheet and attach the sheet as an exhibit to this form; please list the exhibit number here: \_\_\_\_.)

10. PLEASE EXPLAIN ANY ADDITIONAL PRE-PETITION FEES, CHARGES OR AMOUNTS CHARGED TO DEBTOR'S/DEBTORS' ACCOUNT AND NOT LISTED ABOVE:

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(If additional space is needed, please list the amounts on a separate sheet and attach the sheet as an exhibit to this form; please list the exhibit number here: \_\_\_\_.)

**AMOUNT OF ALLEGED POST-PETITION DEFAULT  
(AS OF \_\_\_\_\_ <MM/DD/YYYY>)**

11. DATE LAST PAYMENT WAS RECEIVED: \_\_\_\_\_ <MM/DD/YYYY> \*Please see above  
for explanation

12. ALLEGED TOTAL NUMBER OF PAYMENTS DUE POST-PETITION FROM FILING OF PETITION THROUGH  
PAYMENT DUE ON \_\_\_\_\_ < MM/DD/YYYY >: \_\_\_\_\_.

13. PLEASE LIST ALL POST-PETITION PAYMENTS ALLEGED TO BE IN DEFAULT:

ALLEGED PAYMENT DUE DATE	ALLEGED AMOUNT DUE	AMOUNT RECEIVED	AMOUNT APPLIED TO PRINCIPAL	AMOUNT APPLIED TO INTEREST	AMOUNT APPLIED TO ESCROW	LATE FEE CHARGED (IF ANY)
TOTALS:	\$	\$	\$	\$	\$	\$

14. AMOUNT OF MOVANT'S ATTORNEYS' FEES BILLED TO DEBTOR FOR THE PREPARATION, FILING AND PROSECUTION OF THIS MOTION: \$ \*\* Fees will be assessed against the Obligors on the loan

15. AMOUNT OF MOVANT'S FILING FEE FOR THIS MOTION: \$ \*\*

16. OTHER ATTORNEYS' FEES BILLED TO DEBTOR POST-PETITION: \$

17. AMOUNT OF MOVANT'S POST-PETITION INSPECTION FEES: \$

18. AMOUNT OF MOVANT'S POST-PETITION APPRAISAL/BROKER'S PRICE OPINION: \$

19. AMOUNT OF FORCED PLACED INSURANCE OR INSURANCE PROVIDED BY THE MOVANT POST-PETITION:  
\$

20. SUM HELD IN SUSPENSE BY MOVANT IN CONNECTION WITH THIS CONTRACT, IF APPLICABLE:  
\$

21. AMOUNT OF OTHER POST-PETITION ADVANCES OR CHARGES, FOR EXAMPLE TAXES, INSURANCE INCURRED BY DEBTOR ETC.: \$

#### **REQUIRED ATTACHMENTS TO MOTION**

Please attach the following documents to this motion and indicate the exhibit number associated with the documents.

- (1) Copies of documents that indicate Movant's interest in the subject property. For purposes of example only, a complete and legible copy of the promissory note or other debt instrument together with a complete and legible copy of the mortgage and any assignments in the chain from the original mortgagee to the current moving party. (Exhibit \_\_\_\_.)
- (2) Copies of documents establishing proof of standing to bring this Motion. (Exhibit Exhibits B, C and D)
- (3) Copies of documents establishing that Movant's interest in the real property or cooperative apartment was perfected. For the purposes of example only, a complete and legible copy of the Financing Statement (UCC-1) filed with either the Clerk's Office or the Register of the county the property or cooperative apartment is located in. (Exhibit \_\_\_\_.) Exhibits B and C

#### **CERTIFICATION FOR BUSINESS RECORDS**

I CERTIFY THAT THE INFORMATION PROVIDED IN THIS FORM AND/OR ANY EXHIBITS ATTACHED TO THIS FORM (OTHER THAN THE TRANSACTIONAL DOCUMENTS ATTACHED AS REQUIRED BY PARAGRAPHS 1, 2 AND 3, IMMEDIATELY ABOVE) IS DERIVED FROM RECORDS THAT WERE MADE AT OR NEAR THE TIME OF THE OCCURRENCE OF THE MATTERS SET FORTH BY, OR FROM INFORMATION TRANSMITTED BY, A PERSON WITH KNOWLEDGE OF THOSE MATTERS, WERE KEPT IN THE COURSE OF THE REGULARLY CONDUCTED ACTIVITY; AND WERE MADE BY THE REGULARLY CONDUCTED ACTIVITY AS A REGULAR PRACTICE.

I FURTHER CERTIFY THAT COPIES OF ANY TRANSACTIONAL DOCUMENTS ATTACHED TO THIS FORM AS REQUIRED BY PARAGRAPHS 1, 2 AND 3, IMMEDIATELY ABOVE, ARE TRUE AND ACCURATE COPIES OF THE ORIGINAL DOCUMENTS. I FURTHER CERTIFY THAT THE ORIGINAL DOCUMENTS ARE IN MOVANT'S POSSESSION, EXCEPT AS FOLLOWS:

I, Heath Fagan Authorized Person  
<NAME AND TITLE> OR  
Carrington Mortgage Services, LLC servicing agent for Bank of America, N.A.  
<NAME OF MOVANT>, HEREBY DECLARE (OR CERTIFY, VERIFY, OR STATE) PURSUANT TO 28 U.S.C. SECTION 1746 UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT BASED ON PERSONAL KNOWLEDGE OF THE MOVANT'S BOOKS AND BUSINESS RECORDS.  
EXECUTED AT Plano <CITY/TOWN>, Tx <STATE> ON THIS 5<sup>th</sup> DAY OF Sept. <MONTH>, 20 19 <YEAR>.

Heath Fagan  
Authorized Person  
Bank of America, N.A. /o Carrington  
6200 Tennyson Pkwy  
Plano Texas 75024

<PRINT NAME>  
<TITLE>  
<MOVANT>  
<STREET ADDRESS>  
<CITY, STATE AND ZIP CODE>

**CONTINUATION**

fka American Windows & Sash, Inc.  
aka Austin Technology Center  
aka Bath and Kitchen Elegance  
aka Bath and Kitchen Elegance of the Desert  
aka Big Beaver of Caguas Development Corporation  
aka Big Beaver of Caguas Development Corporation II  
aka Big Kmart  
aka Big Kmart (#3680)  
aka Central Wholesale Appliance Supply, Inc.  
aka Chantell Marketing  
aka Circle of Beauty Inc.  
aka Delver  
aka Delver.com  
aka Designer Depot  
aka Eblon Technologies India Private Limited  
aka Evoke Productions  
aka FitStudio by Sears  
aka Florida Builder Appliances, Inc.  
aka Garment Rack  
aka HDC Holding Company of Delaware, Inc.  
aka HO. Tampa Development Co.  
aka HO. Tysons Office Investment Co.  
aka ILJ, Inc.  
aka JAF, Inc.  
aka KC Kelley Group  
aka Kenmore Direct  
aka Kids Stockroom  
aka Kmart  
aka Kmart Acquisition Corp.  
aka Kmart Apparel Corp.  
aka Kmart Apparel Fashions Corp.  
aka Kmart Apparel Leasing Corp.  
aka Kmart Apparel Service of Atlanta Corp.  
aka Kmart Apparel Service of Des Plaines Corp.  
aka Kmart Apparel Service of Sunnyvale Corp.  
aka Kmart Corporation  
aka Kmart Enterprises, Inc.  
aka Kmart Far East Limited  
aka Kmart Financing I  
aka Kmart Global Sourcing Ltd.  
aka Kmart Holding Company  
aka Kmart Holdings, Inc.  
aka Kmart Lessee Operations, LLC  
aka Kmart Management Corporation

aka Kmart Michigan Property Services, L.L.C.  
aka Kmart of Amsterdam, NY Distribution Center, Inc.  
aka Kmart of Pennsylvania LP  
aka Kmart Pharmacies of Minnesota, Inc.  
aka Kmart Pharmacies, Inc.  
aka Kmart Properties, Inc.  
aka Kmart Stores of Indiana, Inc.  
aka Kmart Stores of TNCP, Inc.  
aka KMI, Inc.  
aka Koolvent Aluminum Products, Inc.  
aka Kresge - Kmart Limited  
aka Little Caesars  
aka Max Acquisition Delaware Inc.  
aka McKids  
aka McKids The Store  
aka McPhail's Appliances  
aka MetaScale Technologies India Private Limited  
aka Monark  
aka Monark Holdings Inc.  
aka Monark of California  
aka Monark Premium Appliance Co.  
aka Monark Premium Appliance Co. of Arizona  
aka Monark Premium Appliance Co. of California  
aka MXSV, Inc.  
aka NTB - National Tire and Battery  
aka NTB-National Tire & Battery  
aka PMB, Inc.  
aka Prairie Buck I, Inc.  
aka Prairie Buck II, Inc.  
aka Private Brands, Ltd.  
aka Relay LLC  
aka San Diego Appliance Sales  
aka Sears  
aka Sears #1284  
aka Sears Acquisition Corp.  
aka Sears Auto Center  
aka Sears Auto Center #6582  
aka Sears Auto Centers  
aka Sears Carpet and Upholstery Care, Inc.  
aka Sears Essentials  
aka Sears Grand  
aka Sears Grand #1673  
aka Sears Holdings Management Corporation  
aka Sears Home Appliance Showrooms  
aka Sears Home Improvement Products (South), Inc.  
aka Sears Home Services

aka Sears Home&Life  
aka Sears Lessee Operations, LLC  
aka Sears Logistics Services  
aka Sears Logistics Services, Inc.  
aka Sears Merchandise Group  
aka Sears Merchandise Group, Inc.  
aka Sears New York Insurance Agency  
aka Sears Oklahoma Insurance Agency  
aka Sears Protection Company Inc.  
aka Sears Protection Company, Inc.  
aka Sears Technology Services LLC  
aka Sears, Roebuck de Mexico, S.A. de C.V.  
aka Sears, Wishbook, Inc.  
aka ServiceLive Direct  
aka SHMC, Inc.  
aka Shop Your Way Local, LLC  
aka shopyourway.com  
aka Sourcing and Technical Services, Inc.  
aka SRC O.P. LLC  
aka SRC Real Estate (TX), LLC  
aka Standards of Excellence  
aka Standards of Excellence Outlet Store  
aka Super K  
aka Super Kmart  
aka SUPER KMART CENTER  
aka Super Kmart Center  
aka Texas Bluelight.com Inc.  
aka The Annex Restaurant  
aka The Great Indoors  
aka Tire Property Holding, Inc.  
aka Tri-Valley Crossings  
aka Troy CMBC Property, L.L.C.  
aka Westar Kitchen & Bath LLC  
aka Westar Kitchen and Bath  
aka Westar Kitchen and Bath, LLC  
aka Western Bluelight.com LLC  
aka WestStar Kitchen and Bath  
aka WestStar Kitchen and Bath LLC  
aka Continental Carpet Cleaning, Inc.  
aka Sears Carpet and Upholstery Care, Inc.  
aka Print Procurement Company, LLC  
aka Print Production Company, LLC  
aka Relay LLC  
aka Shop Your Way Local, LLC  
aka Sears New York Insurance Agency  
aka Sears Oklahoma Insurance Agency